

FOR UTILITY/DESIGN  
CIP/PCT NATIONAL/PLANT  
ORIGINAL/SUBSTITUTE/SUPPLEMENTAL  
DECLARATIONS

RULE 63 (37 C.F.R. 1.63)  
DECLARATION AND POWER OF ATTORNEY  
FOR PATENT APPLICATION  
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PW  
FORM

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the INVENTION ENTITLED L-LYSINE-PRODUCING CORYNEBACTERIA AND PROCESS FOR THE PREPARATION OF L-LYSINE

the specification of which (CHECK applicable BOX(ES))  
X A. ☐ is attached hereto.  
BOX(ES) → B. ☒ was filed on March 19, 2001 as U.S. Application No. 09/810,521  
→ C. ☐ was filed as PCT International Application No. PCT/ / on

and (if applicable to U.S. or PCT application) was amended on

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56. Except as noted below, I hereby claim foreign priority benefits under 35 U.S.C. 119(a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International Application which designated at least one other country than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International Application, filed by me or my assignee disclosing the subject matter claimed in this application and having a filing date (1) before that of the application on which priority is claimed, or (2) if no priority claimed, before the filing date of this application:

PRIOR FOREIGN APPLICATION(S)

Number	Country	Day/MONTH/Year Filed	Date first Laid-open or Published	Date Patented or Granted	Priority NOT Claimed
199 31 314.8	GERMANY	07 May 1999			

If more prior foreign applications, X box at bottom and continue on attached page.

Except as noted below, I hereby claim domestic priority benefit under 35 U.S.C. 119(e) or 120 and/or 365(c) of the indicated United States applications listed below and PCT international applications listed above or below and, if this is a continuation-in-part (CIP) application, insofar as the subject matter disclosed and claimed in this application is in addition to that disclosed in such prior applications, I acknowledge the duty to disclose all information known to me to be material to patentability as defined in 37 C.F.R. 1.56 which became available between the filing date of each such prior application and the national or PCT international filing date of this application:

PRIOR U.S. PROVISIONAL, NONPROVISIONAL AND/OR PCT APPLICATION(S)

Application No. (series code/serial no.)	Day/MONTH/Year Filed	Status	Priority NOT Claimed
09/353,608	14 July 1999	pending, abandoned, patented pending	

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

And I hereby appoint Pillsbury Winthrop LLP, Intellectual Property Group, telephone number (202) 861-3000 (to whom all communications are to be directed), and persons of that firm who are associated with USPTO Customer No. 909 (see below label) individually and collectively my attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to delete from that Customer No. names of persons no longer with their firm, to add new persons of their firm to that Customer No., and to act and rely on instructions from and communicate directly with the person/assignee/attorney/firm/ organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct the above firm and/or an attorney of that firm in writing to the contrary.

USE ONLY FOR  
PILLSBURY WINTHROP



00909

(1) INVENTOR'S SIGNATURE: Caroline Kreutzer

Date: 05/04/2001

Name	Caroline	KREUTZER
First	Middle Initial	Family Name
Residence	Melle	GERMANY
City	State/Foreign Country	Country of Citizenship
Mailing Address	Poststrasse 16, D-49326 Melle, GERMANY	
(include Zip Code)		

(2) INVENTOR'S SIGNATURE:

Date:

Name	Bettina	MOCKEL
First	Middle Initial	Family Name
Residence	Bielefeld	GERMANY
City	State/Foreign Country	Country of Citizenship
Mailing Address	Mittelstrasse 16, D-33062, Bielefeld, GERMANY	
(include Zip Code)		

☒ FOR ADDITIONAL INVENTORS see attached page.

☐ See additional foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. P278416

(M#)

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CIP/PCT NATIONAL/PLANT  
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**PRIOR FOREIGN APPLICATION(S)**

Number	Country	Day/MONTH/Year Filed	Date first Laid-open or Published	Date Patented or Granted	Priority NOT Claimed
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USE ONLY FOR  
PILLSBURY WINTHROP



00909

(1) INVENTOR'S SIGNATURE:

Date:

Name	Caroline	KREUTZER
First	Middle Initial	Family Name
Residence	Melle	GERMANY
City	State/Foreign Country	Country of Citizenship
Mailing Address	Poststrasse 16, D-49326 Melle, GERMANY	
(include Zip Code)		

(2) INVENTOR'S SIGNATURE: X *Bettina Mockel*

Date: X 04.24.2001

Name	Bettina	MOCKEL
First	Middle Initial	Family Name
Residence	Bielefeld	GERMANY
City	State/Foreign Country	Country of Citizenship
Mailing Address	Mittelstrasse 16, D-33062, Bielefeld, GERMANY	
(include Zip Code)		

☒ FOR ADDITIONAL INVENTORS see attached page.

☐ See additional for foreign priorities on attached page (incorporated herein by reference).

Atty. Dkt. No. P278416

(M#)

## DECLARATION AND POWER OF ATTORNEY

(continued)

## ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE: 

Date: 05/02/2001

Walter		PFEFFERLE	
First	Middle Initial	Family Name	
Residence	Halle	GERMANY	GERMANY
City	State/Foreign Country		Country of Citizenship
Mailing Address	Jahnstrasse 33, DE-33790 Halle, GERMANY		
(include Zip Code)			

(4) INVENTOR'S SIGNATURE:

Date:

Lothar		EGGELING	
First	Middle Initial	Family Name	
Residence	Julich	GERMANY	GERMANY
City	State/Foreign Country		Country of Citizenship
Mailing Address	Elsenkamp 6, DE-52428 Julich, GERMANY		
(include Zip Code)			

(5) INVENTOR'S SIGNATURE:

Date:

Hermann		SAHM	
First	Middle Initial	Family Name	
Residence	Julich	GERMANY	GERMANY
City	State/Foreign Country		Country of Citizenship
Mailing Address	Wendelinusstrasse 71, DE-52428 Julich, GERMANY		
(include Zip Code)			

(6) INVENTOR'S SIGNATURE:

Date:

Miroslav		PATEK	
First	Middle Initial	Family Name	
Residence	Praha	CZECH REPUBLIC	CZECH REPUBLIC
City	State/Foreign Country		Country of Citizenship
Mailing Address	Jablonova 9, CZ-10600 Praha 10, CZECH REPUBLIC		
(include Zip Code)			

(7) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Mailing Address			
(include Zip Code)			

(8) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Mailing Address			
(include Zip Code)			

(9) INVENTOR'S SIGNATURE:

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Mailing Address			
(include Zip Code)			

# DECLARATION AND POWER OF ATTORNEY

(continued)

## ADDITIONAL INVENTORS:

(3) INVENTOR'S SIGNATURE:

Date:

Walter		PFEFFERLE
First	Middle Initial	Family Name
Residence	Halle	GERMANY
City	State/Foreign Country	Country of Citizenship
Mailing Address	Jahnstrasse 33, DE-33790 Halle, GERMANY	
(include Zip Code)		

(4) INVENTOR'S SIGNATURE:

Date:

Lothar		EGGELING
First	Middle Initial	Family Name
Residence	Julich	GERMANY
City	State/Foreign Country	Country of Citizenship
Mailing Address	Elsenkamp 6, DE-52428 Julich, GERMANY	
(include Zip Code)		

(5) INVENTOR'S SIGNATURE:

Date:

Hermann		SAHM
First	Middle Initial	Family Name
Residence	Julich	GERMANY
City	State/Foreign Country	Country of Citizenship
Mailing Address	Wendelinusstrasse 71, DE-52428 Julich, GERMANY	
(include Zip Code)		

(6) INVENTOR'S SIGNATURE:

Date:

Miroslav		PATEK
First	Middle Initial	Family Name
Residence	Praha	CZECH REPUBLIC
City	State/Foreign Country	Country of Citizenship
Mailing Address	Jablonova 9, CZ-10600 Praha 10, CZECH REPUBLIC	
(include Zip Code)		

(7) INVENTOR'S SIGNATURE:

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(include Zip Code)		

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City	State/Foreign Country	Country of Citizenship
Mailing Address		
(include Zip Code)		

(9) INVENTOR'S SIGNATURE:

Date:

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Residence		
City	State/Foreign Country	Country of Citizenship
Mailing Address		
(include Zip Code)		

**DECLARATION AND POWER OF ATTORNEY**  
(continued)  
**ADDITIONAL INVENTORS:**

**(3) INVENTOR'S SIGNATURE:**

Date:

Walter		PFEFFERLE	
First	Middle Initial	Family Name	
Residence	Halle	GERMANY	GERMANY
City	State/Foreign Country		Country of Citizenship
Mailing Address	Jahnstrasse 33, DE-33790 Halle, GERMANY		
(include Zip Code)			

**(4) INVENTOR'S SIGNATURE:**

Date:

Lothar		EGGELING	
First	Middle Initial	Family Name	
Residence	Julich	GERMANY	GERMANY
City	State/Foreign Country		Country of Citizenship
Mailing Address	Elsenkamp 6, DE-52428 Julich, GERMANY		
(include Zip Code)			

**(5) INVENTOR'S SIGNATURE:**

Date:

Hermann		SAHM	
First	Middle Initial	Family Name	
Residence	Julich	GERMANY	GERMANY
City	State/Foreign Country		Country of Citizenship
Mailing Address	Wendelinusstrasse 71, DE-52428 Julich, GERMANY		
(include Zip Code)			

**(6) INVENTOR'S SIGNATURE:**

Date: X 10 May 2001

Miroslav		PATEK	
First	Middle Initial	Family Name	
Residence	Praha	CZECH REPUBLIC	CZECH REPUBLIC
City	State/Foreign Country		Country of Citizenship
Mailing Address	Jablonova 9, CZ-10600 Praha 10, CZECH REPUBLIC		
(include Zip Code)			

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Date:

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Residence			
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Mailing Address			
(include Zip Code)			

**(8) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name	
Residence			
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Mailing Address			
(include Zip Code)			

**(9) INVENTOR'S SIGNATURE:**

Date:

First	Middle Initial	Family Name	
Residence			
City	State/Foreign Country		Country of Citizenship
Mailing Address			
(include Zip Code)			

**RECORDATION FORM COVER SHEET  
PATENT APPLICATIONS & PATENTS ONLY**

TO THE ASSISTANT COMMISSIONER OF PATENTS AND TRADEMARKS:  
SIR: PLEASE RECORD THE ATTACHED ORIGINAL DOCUMENTS OR COPY THEREOF.

## 1. NAME OF CONVEYING PARTY(IES) (ASSIGNOR(S)):

1. Caroline KREUTZER  
3. Walter PFEFFERLE  
5. Hermann SAHM

2. Bettina MÖCKEL  
4. Lothar EGGELING  
6. Miroslav PATEK  
8.

ADDITIONAL NAME(S) OF CONVEYING PARTY(IES) ATTACHED? ☐ YES ☒ NO

## 2. PARTY(IES) (ASSIGNEE(S)) RECEIVING INTEREST:

NAME: Degussa AG

ADDRESS: Weissgrauenstrasse 9, DE-60311 Frankfurt am Main, GERMANY

ADDITIONAL NAME(S) & ADDRESS(ES) ATTACHED? ☐ YES ☒ NO

## 3. NATURE OF CONVEYANCE (DOCUMENT):

(Submit herewith only one document for recordation—multiple copies of same Assignment signed by different inventors is one document)

☒ ASSIGNMENT OF ☒ WHOLE ☐ PART INTEREST  
☐ ORIGINAL ☐ FACSIMILE/PHOTOCOPY  
☐ CHANGE OF NAME ☐ VERIFIED TRANSLATION  
☐ SECURITY ☐ MERGER ☐ OTHER:

EXEC. DATE: 1) 5/4/01; 2) 4/24/01; 3) 5/2/01;  
4) & 5) 4/25/01; 6) 5/10/01

EXECUTION DATE(S) ON THE DECLARATION IF FILED HERewith: (NOTE: IF DATES ON DECLARATION AND ASSIGNMENT DIFFER SEE ATTY!) 1) 5/4/01; 2) 4/24/01; 3) 5/2/01; 4) & 5) 4/25/01; 6) 5/10/01

4.5 APPL. NO.(S) OR PAT NO.(S). OTHERS ON ADDITIONAL SHEET(S) attached? ☐ YES ☐ NO

A. PAT. APP. NO.(S) series/code/serial no.	M#	1 <sup>st</sup> INVENTOR if not in item 1	B. PATENT NO.(S)	M#	1 <sup>st</sup> INVENTOR if not in item 1
09/810,521	278416				

5. Name & Address of Party to Whom Correspondence  
Concerning Document Should be Mailed:

Pillsbury Winthrop LLP  
Intellectual Property Group  
1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918

6. NUMBER INVOLVED:

APPLNS 1 + PATS 0 = TOTAL

1

7. AMOUNT OF FEE ENCLOSED: (Code 581)

ABOVE TOTAL x \$40 = \$40

5.5 ATTY DKT:

P 278416

980183BT-CIP

8. IF ABOVE FEE IS MISSING OR INADEQUATE CHARGE  
INSUFFICIENCY TO DEPOSIT ACCOUNT NUMBER: 03-3975

UNDER ORDER NO

21123

278416

MATTER NO.

CLIENT REF.

dup. sheet not required

CLIENT NO.

MATTER NO.

9.

*Michael A. Sanzo*

Signature

10. Total number of pages including this  
cover sheet, attachments and document  
(do not file dup. Cover sheet)

5

Attorney: Michael A. Sanzo

Reg. No. 36912

Date: May 31 2001

Atty/Sec: MAS/AMX

TEL: (202) 861-3020

FAX: (202) 822-0944

FILE WITH PTO RETURN RECEIPT (PAT-103A)

Please return signed/recorded to:

Pillsbury Winthrop LLP  
Intellectual Property Group  
1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918

USA Patent Appln.  
Sole or Joint

For Inventions made outside USA  
executed with or after application

Atty. Dkt. P 278416

M#

980183BT-CIP

Client Ref.

NONPROVISIONAL

ASSIGNMENT  
OF NONPROVISIONAL APPLICATION

NONPROVISIONAL

In consideration of the sum of Ten Dollars (\$10.00) and other good and valuable consideration paid to each of the undersigned, to wit:

INSERT  
NAME(S) OF  
INVENTOR(S)

(1) Caroline KREUTZER

(3) Walter PFEFFERLE

(5) Hermann SAHM

(2) Bettina MOCKEL

(4) Lothar EGGELING

☒ x box if continued on page 2

the receipt and sufficiency of which are hereby acknowledged by the undersigned who at the request of, hereby sell(s), assign(s) and transfer(s) unto:

INSERT  
NAME(S) OF  
ASSIGNEE(S)  
ADDRESS(ES)

Degussa-Huls Aktiengesellschaft, Weissgrauenstrasse 9, DE-60311 Frankfurt am Main, GERMANY

(hereinafter designated "ASSIGNEE") the entire right, title and interest for the United States of America as defined in 35 U.S.C. 100, in the invention and all applications including any and all divisions, continuations, substitutes, and reissues thereof; and all resulting patents, known as

TITLE OF  
INVENTION

L-LYSINE-PRODUCING CORYNEBACTERIA AND PROCESS FOR THE PREPARATION OF L-LYSINE

for which the undersigned executed an application for Letters Patents of the United States of America:

NOTE → →

(Complete

line A, B and/or C)

(A) ☐ even date herewith

(B) ☐ on

(C) ☒ in U.S. Appln. No. 09/810,521

filed March 19, 2001

AND the undersigned hereby authorize(s) and request(s) the United States Commissioner of Patents and Trademarks to issue said Letters Patent to the said ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives; the undersigned agree(s) that the attorney of record in said application shall hereinafter act on behalf of said ASSIGNEE;

AND the undersigned hereby agree(s) to testify and execute any papers for ASSIGNEE, its successors, assigns and legal representatives, deemed essential by ASSIGNEE to ASSIGNEE'S full protection and title in and to the invention hereby transferred.

NOTE → →

The undersigned hereby authorize(s) Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

INVENTORS

1):  
Name: Caroline KREUTZER

2):  
Name: Bettina MOCKEL

3):  
Name: Walter PFEFFERLE

4) Name:  
Name: Lothar EGGELING

5) Name:  
Name: Hermann SAHM

DATE SIGNED

X 05/10/2001

X 05/02/2001

WITNESSES

X Stephan HANS

X Birgit Schöwerling



Please return signed/recorded to:

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Intellectual Property Group  
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Ninth Floor  
Washington, DC 20005-3918

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INSERT NAME(S) OF INVENTOR(S)	(1) Caroline KREUTZER (3) Walter PFEFFERLE (5) Hermann SAHM	(2) Bettina MOCKEL (4) Lothar EGGELING <input checked="" type="checkbox"/> x box if continued on page 2
-------------------------------------	---	---

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INSERT  
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INVENTION

L-LYSINE-PRODUCING CORYNEBACTERIA AND PROCESS FOR THE PREPARATION OF L-LYSINE

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AND the undersigned hereby agree(s) to testify and execute any papers for ASSIGNEE, its successors, assigns and legal representatives, deemed essential by ASSIGNEE to ASSIGNEE'S full protection and title in and to the invention hereby transferred.

NOTE → → The undersigned hereby authorize(s) Pillsbury Winthrop LLP of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

INVENTORS

DATE SIGNED

WITNESSES

1):			
Name:	Caroline KREUTZER		
2)	<i>X. Bettina Mockel</i>	<i>X 04.24.2001</i>	<i>X Sven HADRIC H</i>
Name:	Bettina MOCKEL		
3)			
Name:	Walter PFEFFERLE		
4) Name:			
Name:	Lothar EGGELING		
5) Name:			
Name:	Hermann SAHM		



Please return signed/recorded to:

Pillsbury Winthrop LLP  
Intellectual Property Group  
1100 New York Avenue, NW  
Ninth Floor  
Washington, DC 20005-3918

USA Patent Appln.  
Sole or Joint

For Inventions made outside USA  
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INVENTOR(S)

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(3) Walter PFEFFERLE

(5) Hermann SAHM

(2) Bettina MOCKEL

(4) Lothar EGGELING

☒ x box if continued on page 2

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& ADDRESS(ES)

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INVENTORS

DATE SIGNED

WITNESSES

1):			
Name:	Caroline KREUTZER		
2):			
Name:	Bettina MOCKEL		
3):			
Name:	Walter PFEFFERLE	8-25-01	x Annelie Forstel
4) Name:	Lothar EGGELING		x Annelie FORSTEL
Name:	Lothar EGGELING	4/25/01	x Annelie Forstel
5) Name:	Hermann SAHM		x Annelie FORSTEL
Name:	Hermann SAHM		Annelie FORSTEL

# ASSIGNMENT

(Continued from page 1)

## LISTING OF ADDITIONAL INVENTORS

INSERT  
NAME(S) OF  
INVENTOR(S)

(6) Miroslav PATEK	(7)
(8)	(9)
(10)	(11)
(12)	(13)
(14)	(15)

## SIGNATURES OF ADDITIONAL INVENTORS/WITNESSES/DATES SIGNED

	<u>INVENTORS</u>	<u>DATE SIGNED</u>	<u>WITNESSES</u>
6):	<i>x</i> <u>M. Patek</u>	<i>x</i> <u>May 10, 2001</u>	<i>x</i> <u>Jan Nešvera</u>
Name:	Miroslav PATEK		Jan Nešvera
7)			
Name:			
8)			
Name:			
9)			
Name:			
10)			
Name:			
11)			
Name:			
12)			
Name:			
13)			
Name:			
14)			
Name:			
15)			
Name:			